

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DERRICK CAIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT  
OF JUSTICE,

Defendant.

Case Number 19-12483

Honorable David M. Lawson

Magistrate Judge David R. Grand

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Presently before the Court is the report issued on November 10, 2021 by Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b), recommending that the Court grant the defendant's motion for summary judgment. The deadline for filing objections to the report has passed, and no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 18) is **ADOPTED**.

It is further **ORDERED** that the defendant's motion for summary judgment (ECF No. 16) is **GRANTED**.

It is further **ORDERED** that the complaint (ECF No. 1) is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: January 14, 2022